



City of Seattle

Edward B. Murray, Mayor

Department of Planning and Development

D. M. Sugimura, Director

CITY OF SEATTLE ANALYSIS AND DECISION OF THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT

Application Number: 3016944
Applicant Name: Brandon Winters for Doug Armintrout
Address of Proposal: 4554 45th Avenue NE

SUMMARY OF PROPOSED ACTION

Land Use Application to subdivide one parcel into two parcels of land. Proposed parcel sizes are: A) 4,945 sq. ft. and B) 4,945 sq. ft. Existing structures to be demolished.

The following approval is required:

Short Subdivision - to subdivide one existing parcel into two parcels.
(Chapter 23.24, Seattle Municipal Code)

BACKGROUND DATA

Site & Area Description

This 9,890 sq. ft. project site is located in a single family residential zone with a minimum lot size of 5,000 square feet (SF 5000), located in the Laurelhurst neighborhood. The parcel is a rectangular shaped lot located at the southeast corner of 45th Avenue NE and NE 47th Street. The subject site is located within a mapped Environmentally Critical Area (ECA), Steep Slope. However, “based on the available contour information, geology mapping, and steep slope mapping, it appears that steep slopes are mis-mapped at the site and development will adversely impact the stability of the existing nearby steep slope areas” (Jim Mattoon, 6/11/2014). Therefore no ECA review is required. Since the site has been determined not to contain an ECA, no SEPA review is required and the SEPA component has been withdrawn.

Proposal

The proposal is to subdivide one parcel of land into two lots, one of which will have frontage on 45th Avenue NE and the other will have frontage on NE 47th Street. Proposed lot areas are indicated in the summary above. The existing single family residences will be demolished.

No development or construction activities are associated with the current proposal. The subject of this analysis and decision is restricted to the proposed division of land.

Public Comment

The public comment period for this project ended April 30, 2014. DPD received several written comments regarding this proposal.

ANALYSIS – SUBDIVISION

General short subdivision standards: Pursuant to SMC 23.24.040, the Director shall, after conferring with appropriate officials, use the following criteria to determine whether to grant, condition, or deny a short plat:

1. *Conformance to the applicable Land Use Code provisions;*

This short subdivision was submitted on the basis of application of the 75% - 80% rule pursuant to SMC 23.44.010.B.1.b. By subdivision, lots in a single family zone may be created which are “[a]t least seventy-five (75) percent of the minimum required lot area and [are] at least eighty (80) percent of the mean lot area of the lots on the same block face within which the lot will be located and within the same zone”. Seventy-five (75) percent of the minimum lot size of the SF 5000 zone is 3,750 square feet. Eighty percent of the mean lot size of the lot on the subject block face between NE 45th Street and NE 47th Street, exclusive of the subject lot, is 4,435 square feet, according to information submitted in the application. The proposed lot areas of Parcels A and B, 4,945 and 4,945 square feet respectively, are greater than eighty percent of the mean lot area of the lot on the same block face (4,435 sq. ft.) and greater than seventy-five (75) percent of the minimum required lot area (3,750 sq. ft.). Thus, the proposed lot configuration meets the exception to the minimum lot area as contained in SMC 23.44.010.B.1.b.

2. *Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.53.005;*

Proposed Parcel A will have direct access from either 45th Avenue NE or NE 47th Street and Proposed Parcel B will also have direct access from 45th Avenue NE.

3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*

According to the drainage reviewer, both parcels will have access to the city storm and sanitary sewer in 45th Avenue NE. There are no recommended sewer or drainage conditions prior to recording of the short subdivision.

4. *Whether the public use and interests are served by permitting the proposed division of land;*

5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas;*

6. *Is designed to maximize the retention of existing trees;*

7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouse, rowhouse, and cottage housing developments as*

permitted in Single-Family, Residential Small Lot, and Lowrise zones and for single-family dwelling units in Lowrise zones, or any combination of the above types of residential development, as permitted in the applicable zones; and;

8. *Conformance to the provisions of Section 23.24.046, Multiple single-family dwelling units on a single-family lot, when the short subdivision is for the purpose of creating two or more lots from one lot with more than one existing single-family dwelling unit.*
9. *Every lot except unit lots and lots proposed to be platted for individual live-work units in zones where live-work units are permitted, shall conform to the following standards for lot configuration, unless a special exception is authorized under subsection 23.24.040.B:*
 - a. *If a lot is proposed with street frontage, then one lot line shall abut the street for at least 10 feet; and*
 - b. *No lot shall be less than 10 feet wide for a distance of more than 10 feet as measured at any point; and*
 - c. *No proposed lot shall have more than six separate lot lines. The lot lines shall be straight lines, unless the irregularly shaped lot line is caused by an existing right-of-way or an existing lot line; and*
 - d. *If the property proposed for subdivision is adjacent to an alley, and the adjacent alley is either improved or required to be improved according to the standards of Section 23. 53.030, then no new lot shall be proposed that does not provide alley access, except that access from a street to an existing use or structure is not required to be changed to alley access. Proposed new lots shall have sufficient frontage on the alley to meet access standards for the zone in which the property is located.*

Conclusion

Based on information provided by the applicant, referral comments from DPD and other City Departments, and review and analysis by the Land Use Planner, the above criteria have been met. The short subdivision meets all minimum standards or applicable exceptions set forth in the Land Use Code. This short subdivision will provide pedestrian and vehicular access (including emergency vehicles), and public and private utilities. Adequate provisions for drainage control, water supply and sanitary sewage disposal will be provided for each lot and service is assured, subject to standard conditions governing utility extensions. The proposed plat maximizes the retention of existing trees. The public use and interest are served by the proposal since all applicable criteria are met and the proposal creates the potential for additional housing opportunities in the City.

DECISION - SHORT SUBDIVISION

The proposed short plat is **GRANTED**.

CONDITIONS - SHORT SUBDIVISION

None required.

Signature: _____ (signature on file) Date: July 14, 2014
Marti Stave, Land Use Planner
Department of Planning and Development

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